

Attorney Docket No.: J3734(C)  
Serial No.: 10/579,649  
Filed: May 18, 2006  
Confirmation No.: 9363

### **REMARKS**

By this Amendment, applicants have cancelled claim 3, without prejudice, and incorporated the limitation of claim 3 (specific alkali metal halide) into claim 1. Accordingly, claims now pending are claims 1, 2, 4-10, and 12-13.

As discussed below, the amendment is intended to highlight that the invention is directed to very specific compositions where the use of a blend or combination of cationic polymers is critical, as is use of alkalide metal halide.

More specifically, while the art broadly discloses that mixtures of alkylammonium salts may be used, there is no disclosure of specific combinations, or recognition that there is any benefit (i.e., enhanced opacity) from using these combinations. Indeed, the examples in the primary Kruger et al. reference, for example, all use a single alkyl ammonium salt. Further, as noted by the Examiner (with regard to Kruger et al. reference), the specific use of potassium chloride is not disclosed. There is nothing that would have directed one of ordinary skill in the art to first use a combination of cationics and to then further combine these specifically with potassium chloride.

By contrast, applicants have specifically demonstrated, in Tables 1 and 3 for example, that use of CTAC in combination with DEQ (Example 1 versus Comparative B) is superior to CTAC alone. Further, applicants have specifically demonstrated that the use of potassium chloride is critical (see Example 1 versus Comparative A).

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At page 2 of the Office Action, the Examiner continues to reject claims over Kruger in view of Pings and Sun et al. This rejection is respectfully traversed for reasons set forth below.

With regard to EP 0 956 850 to Kruger (Kruger), as noted:

- 1) This reference does not recognize, and provides no reason why, two cationics must be combined; a combination of cationics is broadly disclosed, but there is no example and, if combined, there is no reason any two specific cationics should be combined versus any other two; and
- 2) The reference fails to disclose use of KCl altogether; as indicated, the present claims require a necessary combination of two specific cationics together with specific use of potassium chloride.

With regard to U.S. Patent No. 5,482,703 to Pings, again, it is noted that Pings fails to disclose or suggest why someone of ordinary skill in the art would use a combination of cationics, let alone the specifically recited combination of the claims, let alone further in combination with potassium chloride. Also, as noted, applicants have provided data demonstrating the advantages of the specifically claimed combination. There is simply nothing in this reference or in Kruger which would direct one of ordinary skill to make those specific combinations. Further, the combination of the specific quats and KCl is also clearly not disclosed.

With regard to U.S. Patent No. 6,613,316 to Sun, as applicants have previously noted, this reference fails to disclose specific combinations of cetrimonium chloride and dialkoyl quats (only dialkyl quats are exemplified). Once more, the reference fails to

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disclose or suggest use of the specific combination of quats of the invention, let alone further combination with KCl.

In short, none of the references, alone or in combination, teaches or suggest specific combination of cationic quats further in combination with specific alkali metal halide (e.g., potassium chloride).

The rejection of new claim 13 is over the same three references and, for reasons noted in the discussion above, it is believed that this rejection fails. Accordingly, it is respectfully requested the rejection over claim 13 also be withdrawn.

In view of the above remarks including the amendment to claim 1 and the cancellation of claim 3, it is respectfully requested that the Examiner withdraw all rejections and that the claims, as amended, be allowed.

If a telephone conversation would be of assistance in advancing prosecution of the subject application, applicants' undersigned agent invites the Examiner to telephone him at the number provided.

Respectfully submitted,



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